

FILED

JAN 16 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

HONGJIN TAN,

Defendant.

Case No.

19 CR 009 GKF

INDICTMENT

[COUNT 1: 18 U.S.C. §1832(a)(1)

- Theft of Trade Secrets;

COUNT 2: 18 U.S.C. § 1832(a)(2)

- Unauthorized Transmission of
Trade Secrets;

COUNT 3: 18 U.S.C. § 1832(a)(3) -

Unauthorized Possession of Trade
Secrets;

Forfeiture Allegation: 18 U.S.C.

§ 2323 – Trade Secret Forfeiture]

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. § 1832(a)(1)]

From on or about September 1, 2018, through on or about December 13, 2018, in the Northern District of Oklahoma, the defendant, **HONGJIN TAN**, with the intent to convert trade secrets, specifically, information pertaining to methods for developing a particular Research and Development Downstream Energy Market Product known to the Grand Jury, that are related to products and services used in and intended for use in interstate and foreign commerce, to the economic benefit of persons other than the trade secrets' owner, a company known to the Grand Jury, and knowing and intending that the offense will injure any owner of those trade secrets, knowingly did steal and without authorization appropriate, take, carry away, and conceal such information, in violation of Title 18, United States Code, Section 1832(a)(1).

COUNT TWO
[18 U.S.C. § 1832(a)(2)]

From on or about September 1, 2018, through on or about December 13, 2018, in the Northern District of Oklahoma and elsewhere, the defendant, **HONGJIN TAN**, with the intent to convert trade secrets, specifically, information pertaining to methods for developing a particular Research and Development Downstream Energy Market Product known to the Grand Jury, that are related to products and services used in and intended for use in interstate and foreign commerce, to the economic benefit of persons other than the trade secrets' owner, a company known to the Grand Jury, and knowing and intending that the offense will injure any owner of those trade secrets, knowingly did without authorization copy, duplicate, sketch, draw, photograph, download, upload, alter, photocopy, replicate, transmit, deliver, send, mail, communicate, and convey such information, in violation of Title 18, United States Code, Section 1832(a)(2).

COUNT THREE
[18 U.S.C. § 1832(a)(3)]

From on or about September 1, 2018, through on or about December 13, 2018, in the Northern District of Oklahoma and elsewhere, the defendant, **HONGJIN TAN**, with the intent to convert trade secrets, specifically, information pertaining to methods for developing a particular Research and Development Downstream Energy Market Product known to the Grand Jury, that are related to products and services used in and intended for use in interstate and foreign commerce, to the economic benefit of persons other than the trade secrets' owner, a company known to the Grand Jury, and knowing and intending that the offense will injure any owner of those trade secrets, knowingly did receive and possess such information, knowing the same to have been stolen and appropriated, obtained, and converted without authorization, in violation of Title 18, United States Code, Section 1832(a)(3).

FORFEITURE ALLEGATION
[18 U.S.C. § 2323]

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2323.

Upon conviction of any of the trade secret offenses alleged in Indictment, as part of his sentence, the defendant, **HONGJIN TAN**, shall forfeit to the United States any property used, or intended to be used, in any manner or part to commit or facilitate the commission of the offenses, and any property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of the offenses, including, but not limited to:

MONEY JUDGMENT


A money judgment in an amount representing proceeds obtained by Defendant **TAN**, as a result of the trade secret offenses.

Pursuant to Title 21, United States Code, Section 853(p), the defendant shall forfeit substitute property, up to the value of the property described above if, by any act or omission of the defendant, the property described above, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

All pursuant to Title 18, United States Code, Section 2323.

R. TRENT SHORES
UNITED STATES ATTORNEY

A TRUE BILL



JOEL-LYN A. MCCORMICK
Assistant United States Attorney

/s/ Grand Jury Foreperson
Grand Jury Foreperson